



January 30, 2004

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## HOUSE BILL No. 1239

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DIGEST OF HB 1239 (Updated January 28, 2004 2:56 pm - DI 108)

**Citations Affected:** IC 6-1.1.

**Synopsis:** Confidentiality of telephone numbers. Provides that the telephone numbers of a buyer and seller on a sales disclosure form filed with the county auditor are confidential.

**Effective:** July 1, 2004.

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### Cherry, Frenz, Reske, Saunders

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January 15, 2004, read first time and referred to Committee on Local Government.  
January 29, 2004, amended, reported — Do Pass.

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HB 1239—LS 6054/DI 103+



January 30, 2004

Second Regular Session 113th General Assembly (2004)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2003 Regular Session of the General Assembly.

## HOUSE BILL No. 1239

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A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 6-1.1-5.5-3, AS AMENDED BY P.L.245-2003,  
2 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2004]: Sec. 3. (a) Before filing a conveyance document with  
4 the county auditor under IC 6-1.1-5-4, all the parties to the conveyance  
5 must complete and sign a sales disclosure form as prescribed by the  
6 department of local government finance under section 5 of this chapter.  
7 All the parties may sign one (1) form, or if all the parties do not agree  
8 on the information to be included on the completed form, each party  
9 may sign and file a separate form.  
10 (b) Except as provided in subsection (c), the auditor shall forward  
11 each sales disclosure form to the county assessor. The county assessor  
12 shall retain the forms for five (5) years. The county assessor shall  
13 forward the sales disclosure form data to the department of local  
14 government finance and the legislative services agency, in electronic  
15 format if possible. The county assessor shall forward a copy of the sales  
16 disclosure forms to the township assessors in the county. The forms  
17 may be used by the county assessing officials, the department of local

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government finance, and the legislative services agency for the purposes established in IC 6-1.1-4-13.6, sales ratio studies, equalization, and any other authorized purpose.

(c) In a county containing a consolidated city, the auditor shall forward the sales disclosure form to the appropriate township assessor. The township assessor shall forward the sales disclosure form to the department of local government finance and the legislative services agency, in electronic format if possible. The township assessor shall forward a copy of the sales disclosure forms to the township assessors in the county. The forms may be used by the county assessing officials, the department of local government finance, and the legislative services agency for the purposes established in IC 6-1.1-4-13.6, sales ratio studies, equalization, and any other authorized purpose.

**(d) If a sales disclosure form includes the telephone number of a party, the telephone number is confidential. Beginning July 1, 2004, the sales disclosure form shall not include the phone number or Social Security number of any transferor or transferee.**

SECTION 2. IC 6-1.1-5.5-5, AS AMENDED BY P.L.90-2002, SECTION 54, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 5. The department of local government finance shall prescribe a sales disclosure form for use under this chapter. **Subject to section 3(d) of this chapter**, the form prescribed by the department of local government finance must include at least the following information:

- (1) The key number of the parcel (as defined in IC 6-1.1-1-8.5).
- (2) Whether the entire parcel is being conveyed.
- (3) The address of the property.
- (4) The date of the execution of the form.
- (5) The date the property was transferred.
- (6) Whether the transfer includes an interest in land or improvements, or both.
- (7) Whether the transfer includes personal property.
- (8) An estimate of any personal property included in the transfer.
- (9) The name and address of each transferor and transferee.
- (10) The mailing address to which the property tax bills or other official correspondence should be sent.
- (11) The ownership interest transferred.
- (12) The classification of the property (as residential, commercial, industrial, agricultural, vacant land, or other).
- (13) The total price actually paid or required to be paid in exchange for the conveyance, whether in terms of money, property, a service, an agreement, or other consideration, but

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1 excluding tax payments and payments for legal and other services  
2 that are incidental to the conveyance.

3 (14) The terms of seller provided financing, such as interest rate,  
4 points, type of loan, amount of loan, and amortization period, and  
5 whether the borrower is personally liable for repayment of the  
6 loan.

7 (15) Any family or business relationship existing between the  
8 transferor and the transferee.

9 (16) Other information as required by the department of local  
10 government finance to carry out this chapter.

11 **If a form under this section includes the telephone number of a**  
12 **transferor or transferee, the telephone number is confidential.**

13 SECTION 3. IC 6-1.1-33.5-2, AS ADDED BY P.L.198-2001,  
14 SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
15 JULY 1, 2004]: Sec. 2. The division of data analysis shall do the  
16 following:

17 (1) Compile an electronic data base that includes the following:

18 (A) The local government data base.

19 (B) Information on sales of real and personal property,  
20 including **nonconfidential** information from sales disclosure  
21 forms filed under IC 6-1.1-5.5.

22 (C) Personal property assessed values and data entries on  
23 personal property return forms.

24 (D) Real property assessed values and data entries on real  
25 property assessment records.

26 (E) Information on property tax exemptions, deductions, and  
27 credits.

28 (F) Any other data relevant to the accurate determination of  
29 real property and personal property tax assessments.

30 (2) Make available to each county and township software that  
31 permits the transfer of the data described in subdivision (1) to the  
32 division in a uniform format through a secure connection over the  
33 Internet.

34 (3) Analyze the data compiled under this section for the purpose  
35 of performing the functions under section 3 of this chapter.

36 (4) Conduct continuing studies of personal and real property tax  
37 deductions, abateements, and exemptions used throughout Indiana.

38 The division of data analysis shall, before May 1 of each  
39 even-numbered year, report on the studies at a meeting of the  
40 budget committee and submit a report on the studies to the  
41 legislative services agency for distribution to the members of the  
42 legislative council.

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred House Bill 1239, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 15, after "confidential." insert "**Beginning July 1, 2004, the sales disclosure form shall not include the phone number or Social Security number of any transferor or transferee.**".

Page 2, line 19, delete "The" and insert "**Subject to section 3(d) of this chapter,** the".

and when so amended that said bill do pass.

(Reference is to HB 1239 as introduced.)

MOSES, Chair

Committee Vote: yeas 13, nays 0.

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